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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/017,640
	Filing Date	December 14, 2001
	First Named Inventor	William Matz
	Art Unit	3629
	Examiner Name	J. P. Ouellette
	Attorney Docket Number	BS01342

Total Number of Pages in This Submission: 15

### ENCLOSURES

(Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter Other Enclosure(s) (please identify below): Copy of Cited Reference
Remarks:		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Name (Print/Type)	Bambi Faivre Walters	Reg. No.:	45,197
Signature	<i>Bambi Faivre Walters</i>		
Date	January 26, 2005		

### CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Name (Print/Type)	Bambi Faivre Walters	Date	January 26, 2005
Signature	<i>Bambi Faivre Walters</i>		

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)  
**180.00****Complete if Known**

Application Number 10/017,640

Filing Date December 14, 2001

First Named Inventor William Matz

Examiner Name J. P. Ouellette

Art Unit 3629

Attorney Docket No. BS01342

**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☐ Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☐ Credit any overpayments

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)

Small Entity Fee (\$)

50

25

Each independent claim over 3 (including Reissues)

200

100

Multiple dependent claims

360

180

**Total Claims** **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims** **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets** **Extra Sheets** **Number of each additional 50 or fraction thereof** **Fee (\$)** **Fee Paid (\$)**

- 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): JDS - 37 CFR 1.97(b)(3)

**\$180.00****SUBMITTED BY**

Signature	<i>Bambi Falvre Walters</i>	Registration No. (Attorney/Agent)	45,197	Telephone	757-253-5729
Name (Print/Type)	Bambi Falvre Walters	Date	January 26, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4918).**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

**Complete If Known**

Application Number 10/017,840

Filing Date December 14, 2001

First Named Inventor William Matz

Examiner Name J. P. Ouellette

Art Unit 3629

Attorney Docket No. BS01342

**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☐ Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_

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Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
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Total Sheets

Extra Sheets

Number of each additional 50 or fraction thereof

Fee (\$)

Fee Paid (\$)

- 100 =

/ 50 =

(round up to a whole number) x

=

=

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): IDS - 37 CFR 1.87(b)(3)

\$180.00

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent) 45,197	Telephone 757-253-5729
Name (Print/Type)	Bambl Fahre Walters		Date January 28, 2005

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: William Matz et al.

Group Art Unit: 3629

Application No.: 10/017,640

Examiner: J. P. Ouellette

Filed: December 14, 2001

Title: "System and Method for Identifying Desirable Subscribers"

JAN 26 2005

VIA FACSIMILE 703-872-9306

Attn: Examiner J. P. Ouellette

## 37 C.F.R. § 1.8 CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on: 1/26/05 (date of transmission).

Bambi F. Walters

Name of Person Faxing This Paper

Bambi F. Walters

Signature

1/26/05

Date of Transmission

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR §§1.56, 1.97, and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Forms PTO 1449 (pp. 1-7).

This Information Disclosure Statement is being submitted after the mailing of a first Office Action in this application and therefore, the certification fee is believed to be required (37 CFR § 1.97b(3)).

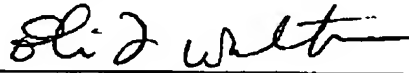
02/02/2005 BBONNER 00000025 10017640

01 FC:1806

180.00 OP

It is respectfully requested that the references listed on the attached forms be expressly considered by the Examiner and be made of record in the application and appear among the "References Cited" on any patent to issue therefrom.

Respectfully submitted,



Bambi F. Walters

Attorney for Applicants

Registration No. 45,197

P. O. Box 5743

Williamsburg, VA 23188

Telephone: 757.253.5729

Date: 1/26/05

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PTO/SB/08A (08-00)

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 7

**Complete if Known**

Application Number	10/017,640
Filing Date	December 14, 2001
First Named Inventor	William Matz
Group Art Unit	3629
Examiner Name	J. P. Ouellette
Attorney Docket Number	BS01342

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		US- 3,798,810		Bliss et al.	03-19-1974	
		US- 3,888,302		Kosco	05-27-1975	
		US- 4,130,633		Chomet	12-19-1978	
		US- 4,258,388		Cheung	03-24-1981	
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		US- 4,890,322		Russell, Jr.	12-26-1989	
		US- 4,912,552		Allison, III, et al.	03-27-1990	
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		US- 5,448,919		Wilkins, Jeff K.	08-1995	
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		US- 5,608,448		Smoral et al.	03-04-1997	
		US- 5,618,247 A		Russo	04-1997	
		US- 5,661,518		Carles, John B.	08-1997	
		US- 5,724,525		Beyers II et al.	03-1998	
		US- 5,752,159		Faust et al.	05-1998	
		US- 5,774,170		Hita et al.	06-1998	
		US- 5,778,182		Cathay et al.	07-07-1998	
		US- 5,818,438 B1		Howe et al.	10-06-1998	
		US- 5,892,508 B1		Howe et al.	04-06-1999	
		US- 6,076,094 B1		Cohen et al.	08-13-2000	

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Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Complete If Known</b>	
Sheet	2	Of	7	Application Number	10/017,640
				Filing Date	December 14, 2001
				First Named Inventor	William Matz
				Group Art Unit	3829
				Examiner Name	J. P. Ouellette
				Attorney Docket Number	BS01342

U.S. PATENT DOCUMENTS						
Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		US- 6,172,674 B1		Etheredge et al.	01-09-2001	
		US- 6,202,210		Ludtke, Harold A.	03-2001	
		US- 6,252,586 B1		Freeman et al.	06-28-2001	
		US- 6,314,577 B1		Pocock	11-06-2001	
		US- 2002/0123828 A1		Eldering et al.	09-2002	
		US- 2002/0143647 A1		Headings et al.	10-2002	
		US- 6,483,586		Hendricks et al.	10-2002	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sub>0</sub>
		Offi ce <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (If known)				
			EP 1162840 A2		Wilson et al.	12-2001		

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		PCT Publication No. WO 84/17809 (Kiehl et al., 08-04-1994)	
		CAULEY, LESLIE, "Microsoft, Baby Bell Form Video Alliance," <u>The Wall Street Journal</u> , September 26, 1994.	
		"allNetDevices: - Report: Interactive TV Soon to Become Direct Marketing Tool," allNetDevices, <a href="http://www.devices.internet.com/cgi/print/print.cgi?url=http://devices.../report_interactive.html">www.devices.internet.com/cgi/print/print.cgi?url=http://devices.../report_interactive.html</a> , (11/16/01) pp.1-2.	
		"Liberate Technologies – Solutions," Digital Cable Two-Way, <a href="http://www.solutions.liberate.com/architecture/dc2.html">www.solutions.liberate.com/architecture/dc2.html</a> , (11/16/01) p. 1 of 1.	
		"Liberate Technologies – Solutions," Digital Broadband Telco, <a href="http://www.solutions.liberate.com/architecture/db.html">www.solutions.liberate.com/architecture/db.html</a> , (11/16/01) p. 1 of 1.	
		"Liberate Technologies – Solutions," Liberate Connect Suite, <a href="http://www.solutions.liberate.com/products/connect_suite.html">www.solutions.liberate.com/products/connect_suite.html</a> , (11/16/01) pp. 1-2.	
		"Liberate Technologies – Solutions," Liberate Imprint Server™, <a href="http://www.solutions.liberate.com/products/imprint_server.html">www.solutions.liberate.com/products/imprint_server.html</a> , (11/16/01) p. 1 of 1.	
		"Liberate Technologies – Solutions," Liberate Mediacast Server™, <a href="http://www.solutions.liberate.com/products/mediacast_server.html">www.solutions.liberate.com/products/mediacast_server.html</a> , (11/16/01) pp.1-2.	
		"Spike High Performance Server Array," Mixed Signals Technologies, Inc., <a href="http://www.mixedsignals.com">www.mixedsignals.com</a> , <a href="mailto:livinfo@mixedsignals.com">livinfo@mixedsignals.com</a> (2000) p. 1.	
		"power, flexibility, and control," RespondTV, <a href="http://www.respondtv.com/whyrespond.html">www.respondtv.com/whyrespond.html</a> (11/16/01) pp. 1-2.	

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PTO/SB/05A (08-00)

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Application Number	10/017,640
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				Group Art Unit	3629
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Sheet	3	of	7	Attorney Docket Number	BS01342

		"It just clickst," RespondTV, <a href="http://www.respondtv.com/inaction.html">www.respondtv.com/inaction.html</a> , (11/16/01) pp.1-2.	
		"The Wink System," Wink System Diagram, <a href="http://www.wink.com/contents/tech_diagram.html">www.wink.com/contents/tech_diagram.html</a> , (11/16/01) p. 1 of 1.	
		"What is Wink?," <a href="http://www.wink.com/contents/whatdswink.html">www.wink.com/contents/whatdswink.html</a> , (11/16/01) p. 1 of 1.	
		"How Wink Works," What is Wink: How wink works, <a href="http://www.wink.com/contents/howitworks.html">www.wink.com/contents/howitworks.html</a> , (11/16/01) p. 1 of 1.	
		"What is Wink: Examples," What is Wink - Examples, <a href="http://www.wink.com/contents/examples.html">www.wink.com/contents/examples.html</a> , (11/16/01) pp. 1-2.	
		"Nielsen Media Research - Who We Are & What We Do," <a href="http://www.nielsenmedia.com/whoweare.html">www.nielsenmedia.com/whoweare.html</a> , (10/11/01) pp. 1-4.	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB08A (06-03)

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Substitute for form 1449PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

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Sheet 4 of 7

Application Number	10/017,640
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First Named Inventor	William Matz
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		US- 5,948,061	9/7/1999	Merriman et al.	
		US- 5,794,210	8/11/1998	Goldhaber et al.	
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Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>d</sup>
		Country Code <sup>2</sup> Number* Kind Code <sup>6</sup> (if known)	MM-DD-YYYY			
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Examiner Signature	Date Considered
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STATEMENT BY APPLICANT**

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Sheet 5 of 7

**Complete if Known**

Application Number	10/017,640
Filing Date	December 14, 2001
First Named Inventor	William Matz
Art Unit	3629
Examiner Name	J. P. Ouellette
Attorney Docket Number	BS01342

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>

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Sheet 6 of 7

Application Number	10/017,640
Filing Date	December 14, 2001
First Named Inventor	William Matz
Art Unit	3629
Examiner Name	J. P. Ouellette
Attorney Docket Number	BS01342

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>4</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

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Application Number	09/496,825
Filing Date	December 14, 2001
First Named Inventor	William Matz
Art Unit	3629
Examiner Name	J. P. Ouellette
Attorney Docket Number	BS01342

Sheet

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of

7

**NON PATENT LITERATURE DOCUMENTS**

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